

REMARKS:

The Office Action dated January 25, 2007 has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claims 2, 9 and 14-15 have been cancelled without prejudice or disclaimer. Claims 1, 3-8, and 10-12 have been amended. Support for the amendments can be found, *inter alia*, in the original claims. No new matter has been added. Accordingly, claims 1, 3-8, 10-13 and 16 are pending in the application and submitted for consideration.

Claims 1-11 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicants traverse the rejection and submit that the pending claims each comply with the enablement requirement of 35 U.S.C. § 112.

Namely, clear support for the feature of the claims relating to the base wall being elastic such that it can be reversibly flexed is disclosed in the specification as filed at page 2, lines 27 to 28. Accordingly, the Applicants request that the rejection be withdrawn.

Claims 1-11 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Applicants traverse the rejection and submit that the pending claims are not indefinite.

In particular, claim 1 was amended to change "such location" to --said location--. Applicants submit that claim 1 is not indefinite. Accordingly, the Applicants request that the rejection be withdrawn.

Claims 1-4, 6-8 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,951,353 to Kozlowski et al. Claims 1-9 and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,345,717 to Flewitt. Claims 1-6, 8-9 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,954,204 to Grabowski. Claims 1-6, 8 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,574,954 to Reid. Claims 10-11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flewitt or Grabowski in view of Reid. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art employed against claim 1 above and further in view of Roulin et al.

Applicants have amended claim 1 to include limitations recited in claims 9, 11, 14, 15 and 16 and claims 2, 9 and 14-15 have been cancelled. Accordingly, the rejections are moot and Applicants submit that pending claims 1, 3-8, 10-13 and 16 recite subject matter that is not disclosed or suggested by any combination of the cited prior art.

Claim 1, upon which claims 3-8, 10-11 and 16 depend, defines a pack assembly that includes two packs of medicinal tablets joined together and cover pieces. The two packs are joined such that the assembly has a stowed configuration in which the medical tablets cannot be expelled and an opened configuration in which the medical tablets can be expelled. The cover pieces are in a face-to-face relation when the

assembly is in its stowed configuration. Each of the packs includes a base wall, a cover piece, and a tablet. The base wall defines a plurality of locations for the tablets. At each location, there is a displaceable pocket which is integral with the base wall and which constitutes a recess for a tablet. The cover piece is made of a rupturable material. The tablet can be placed between the displaceable pocket and the cover piece. The base wall is of a sufficiently rigid construction as to be resistant to permanent deformation and is elastic such that it can be reversibly flexed. The junction between the pocket and the base wall acts as a hinge such that the pockets are bistable. And, each pack is formed by injection moulding.

As a result of the claimed configuration, a packet assembly is provided in which two packs of medical tablets are joined together such that the rupturable cover pieces are in a face-to-face configuration. The external surfaces of the assembly are the base walls of the packs, which are of sufficiently rigid construction to be resistant to permanent deformation. Such a configuration clearly protects the tablets stored therein in a much more robust manner than a traditional blister pack.

The displaceable pockets of the base wall of the claimed invention are bistable, which means they can flip from one configuration to another. Because the pockets are of a fairly rigid construction when they flip about the hinge, there is a force on inversion, which enables the tablet to be easily expelled. Because the base wall is of a rigid construction, and because the covers are in a face-to-face configuration when stored, the tablets are not easily expelled by accident, for example, when carried in a user's

bag (i.e., in the stowed configuration). Injection moulding is suitable for the formation of the fairly rigid structure of the base wall of the pack assembly.

Additionally, claims 12 and 13 define packs that include a base wall or portion that is resistant to permanent deformation.

None of the cited prior art, alone or in combination with other art, discloses or suggests the above-described features of the invention. For example, none of the cited prior art discloses or suggests that a bistable pocket should be used. The Office Action supposes that a tablet could be removed from the pocket of a blister pack and the pocket could then be manipulated back approximately to its former position. However, Applicants submit that it is likely that the blister pack pockets would become crumpled and would not be completely returned to their original position, in an elastic manner. Such pockets cannot be considered to be bistable, as it is likely that they could be manipulated into any number of configurations. By bistable we mean that the pocket can occupy either a first distinct configuration in which the table is contained within the pocket or a second distinct configuration in which the tablet has been expelled. It is not stable at a plurality of intermediate positions.

Further, the Office Action asserts that Reid suggests that injection molding is a method to form the pack. Applicants disagree. Applicants submit that Reid suggests that thermoforming is the most appropriate way to form the packs described therein and that one skilled in the art would not have been motivated to use injection moulding based on the disclosure of Reid. Packs formed by thermoforming are of the flimsy

traditional blister pack type and the skilled artisan would have had no incentive to form a more rigid pack by injection moulding after reviewing Reid.

Further, none of the cited prior art, alone or in combination with other art, discloses or suggests packs that include a base wall or portion that is resistant to permanent deformation.

Thus, the cited art fails to disclose or suggest each and every element of claims 1, 3-8, 10-13 and 16. Accordingly, Applicants request that the rejections be withdrawn.

In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and requests that claims 1, 3-8, 10-13 and 16 be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

By



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